

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TREVOR FITZGIBBON

Plaintiff,

v.

Civil Action No. 3:19cv477

JESSELYN A. RADACK,

Defendant.

ORDER

For the reasons set forth on the record during the June 3, 2020 conference call, it is hereby ORDERED that Defendant's CONSENT MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADINGS (ECF No. 93) and MOTION TO DEFER CONSIDERATION OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND FOR EXTENSION OF THE SUMMARY JUDGMENT DEADLINE PURSUANT TO FED. R. CIV. P. 56(d) (ECF No. 94) are granted to the extent outlined below:

(1) DEFENDANT'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(2) (ECF No. 45), DEFENDANT'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(1) (ECF No. 47), and DEFENDANT'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6) (ECF No. 50) are denied as moot; and

(2) Defendant shall file an Answer and any other motions with respect to the THIRD AMENDED COMPLAINT (ECF No. 87) by June 8, 2020;

Plaintiff shall file a response to any motion by June 24, 2020;
and Defendant shall file his reply by July 8, 2020; and

(3) Defendant shall file her Motion for Summary Judgment, if any, by June 30, 2020; Plaintiff shall file a response by July 17, 2020; and Defendant shall file a reply by July 29, 2020; and

(4) The Final Pretrial Conference scheduled for 10:00 a.m. July 13, 2020 is continued to October 7, 2020 at 10:00 a.m.; and

(5) The jury trial scheduled for 9:30 a.m. July 20, 2020 is continued to 9:30 a.m. October 13, 2020.

Further, the MOTION TO REMOVE IMPROPER "COUNSEL'S EYES ONLY" DESIGNATION FROM PLAINTIFF'S SUPPLEMENTAL DISCOVERY PRODUCTION (ECF No. 96) having been withdrawn, it is hereby ORDERED that the Motion (ECF No. 96) is denied as moot.

It is so ORDERED.

/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: June 4, 2020